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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			CHENCINSKI, SIEGFRIED E	
			ART UNIT	PAPER NUMBER
			3628	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/225,208		TOGAWA ET AL.	
	Examiner		Art Unit	
	Siegfried E. Chencinski		3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 27, 2004 has been entered.

Minor Informalities

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 25-34 have been renumbered 19-28.

The Examiner apologizes for himself and the original Examiner for not having renumbered Applicant's first set of amended claims, which is when Applicant originally submitted new claims 25 -32, skipping over claim numbers 20-24, which do not appear to have ever been used in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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3. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Re. Claim 4, the Specification does not include an "emergency worker group", only an "emergency group".

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 23 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re. Claims 23 & 26, the claim's wording is indefinite because of the indefinite grammatical structure of the phrase "wherein as the job object conditions definition form identifies for each worker group information indicating rights to use job objects, and ...". A rephrasing consistent with the Specification would be: "wherein the job object conditions definition form identifies information relating to a job assigned to a worker group, indicating the rights to use the job objects, and at least one of".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 5, 21, 24, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher et al.(US Patent No. 5,826,040) in view of Matsuzaki (US Patent No. 5,767,848).

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Re. Claims 1, 21, 24, 27 and 28, Fargher discloses a computer system performing real-time management of object-oriented system objects as job objects among groups of workers as worker groups in communication with each other via networked computers, said computer system comprising:

- a resource manager managing the job-object conditions worker group by worker group in real-time based upon the job definition form;
- a scheduler establishing the job-object conditions and scheduling each worker group to process the job objects, according to each worker group procedure defined in the job definition form; and
- a job monitor performing real-time monitoring of job processing by the worker groups and performing real-time controlling of sharing of the job-objects among the worker groups while maintaining security of the job objects according to the job-object conditions managed by the resource manager, thereby for a first worker group inhibiting access to the job objects thereof from another worker group to which permission to use the job objects of the first worker group is not allocated.

(Col. 4, lines 19-21; Col. 7, line 3; Col. 5, line 35 - Col. 7, line 62)

- Fargher does not explicitly disclose a form generator generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions, each job definition form representing a group of workers as a job.

However, the use of forms of all kinds, particularly those drawn up by hand, those preprinted and those programmed to be printed by computer printers are an ever present component of life in every facet of business activity, including in the management of projects, computer operations and manufacturing. As such, the use of job definition forms defining worker groups that process the job objects according to job-object conditions are implicit to the description of any system managing projects, jobs and/or groups of workers. The use of forms would therefore also have been obvious within the Fargher disclosure, as well to an ordinary practitioner of the art designing

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applicant's system as a communications tool in order to efficiently administer applicant's system.

Also, Matsuzaki actually discloses a resource manager managing the job-object conditions worker group by worker group in real-time; a job monitor monitoring, in real-time, job processing by the worker groups based upon the job definition forms and maintaining security of the job objects according to the job-object conditions in real-time, thereby for a first worker group inhibiting access to the job objects thereof from another worker group to which permission to use the job objects of the first worker group is not allocated; as well as a scheduler establishing the job-object conditions and scheduling each worker group to process the job objects according to each worker group procedure defined in the job definition form, in response to the job processing information provided by said job monitor, and using forms in the management of projects. (Abstract; Col. 5, line 35 - Col. 7, line 65; Forms and Projects - Col. 19, line 67 – Col. 20, line 9).

It would thus have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosure of Fargher with that of Matsuzaki for the purpose designing an efficient worker task management system involving applicant's invention.

Re. Claim 3, Fargher et al. disclose a system comprising a rearranging unit that manages worker rearrangements among the worker groups and manages the job-object conditions of the rearranged worker groups according to progress of the jobs from the job monitor, wherein said job monitor monitors the job processing and the job objects of the worker groups according to information from said rearranging unit (Col. 9, line 40 to Col. 10, line 46).

Re. Claim 5, Fargher discloses a system wherein said job monitor performs at least one of transferring a job object from one of the worker groups to another worker group and automatically changing the job objects of any one of the worker groups according to a procedure (Col. 5, lines 10 - Col. 6, line 67).

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6. Claims 4, 6 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher et al.(US Patent No. 5,826,040) in view of Matsuzaki (US Patent No. 5767848)and further in view of the IBM Disclosure Bulletin (December 1991, US, Vol. 34, Issue Number 7B, Page Number 114-117, Extensible Access Control List Mechanism, heretofore IBM).

Re. Claim 4, neither Fargher or Matsuzaki explicitly disclose a system wherein: a system according to claim 1, wherein: an emergency worker group is allowed to access every job object of every worker group; and the job monitor accepts any request from the emergency worker group for accessing a job object. However, IBM discloses a system wherein: an emergency worker group is allowed to access every job object of every worker group; and the job monitor accepts any request from the emergency worker group for accessing a job object (IBM, Text, page 1, lines 1-9, page 2, lines 6-11, 11-49) because the IBM disclosure makes a provision for full access by any group such as group admin which is anticipated to require access. It would therefore have been obvious to an ordinary practitioner of the art at the time of the invention to include the IBM disclosure's access to all functions of all job objects to emergency workers and emergency worker groups, and any personnel who are anticipated to require emergency access to make sure that emergencies can be dealt with at any time whenever such is necessary for the advantage of the organization.

Re. Claim 6, neither Fargher or Matsuzaki explicitly disclose a system wherein the job definition forms define group permission information, the system further comprising a request unit that, when a first group makes a request to use a job object of a second group, uses the group permission information to contact the second group for permission to use the job object.

However, IBM discloses a system wherein the job definition forms define group permission information, the system further comprising a request unit that, when a first group makes a request to use a job object of a second group, uses the group permission information to contact the second group for permission to use the job object (IBM, Full document). It would thus have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosures of Fargher and Matsuzaki with that of the IBM

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Disclosure Bulletin for the purpose designing an efficient worker task management system involving applicant's invention.

Re. **Claims 11-15**, neither Fargher nor IBM explicitly disclose

- a system wherein said job monitor holds the schedules of the jobs of the worker groups and exchanges the jobs among the worker groups;
- a system wherein said job monitor limits location, period, and each worker group to handle a job object, to thereby strictly maintain the security of the job object.
- a system wherein said job monitor indicates whether permission for use of the job object is to be granted upon approval of all or some of the members of the second worker group.
- a system wherein said job monitor adds a name of a worker group to which a job object belongs to a name of the job object, whereby plural job objects having the same name can be allocated to the worker group.
- a system wherein said job monitor allocates a representative name to a set of job objects and identically handles the job objects under the representative name.

However, Matsuzaki discloses

- a system wherein said job monitor holds the schedules of the jobs of the worker groups and exchanges the jobs among the worker groups;
- a system wherein said job monitor limits location, period, and each worker group to handle a job object, to thereby strictly maintain the security of the job object.
- a system wherein said job monitor indicates whether permission for use of the job object is to be granted upon approval of all or some of the members of the second worker group.
- a system wherein said job monitor adds a name of a worker group to which a job object belongs to a name of the job object, whereby plural job objects having the same name can be allocated to the worker group.

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a system wherein said job monitor allocates a representative name to a set of job objects and identically handles the job objects under the representative name (Col. 5, line 35 - Col. 7, line 65).

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosures of Fargher with those of Matsuzaki in order to identify a member who assumes responsibility for the resources when all conditions are confirmed.

7. Claims 2, 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher et al. (US Patent No. 5,826,040), Matsuzaki (US Patent No. 5767848), the IBM Disclosure as applied to claims 1, 33 and 34 above and further in view of Rapozo (PC Week v12, n19, p74(2)).

The teachings of Fargher, Matsuzaki and IBM are discussed above.

Re. Claims 2, 22-23 and 25-26, neither Fargher, Matsuzaki or IBM explicitly disclose:

Re. Claim 2, a method wherein said resource manager, job monitor, and scheduler exchange rights to use the job objects among the worker groups;

Re. Claim 22, a method comprising setting as one of the job-object conditions rights to use the job objects among the worker groups processing the job objects.

Re. Claim 23, a method wherein as the job object conditions a each job definition form identifies for each worker group, information indicating the rights to use the job objects, and at least one of a job period, worker group members, processes, the job objects allocated to the job carried out by the worker group, and permission information of the job objects.

Re. Claim 25, a computer readable medium, the program further comprising a function of storing a job definition form defining for each group the jobs, the form indicating rights to use the resources, wherein the job definition form identifies for each job carried out by each group, as information indicating the rights to use the resources, at least one of a job period, group members, the resources allocated to the job to be carried out by the group, and permission information of the resources.

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Re. Claim 26, a system wherein as the job-object conditions a job definition form identifies for each worker group, information indicating rights to use the job objects, and at least one of a job period, worker group members, the job objects allocated to the job to be carried out by the worker group, and the permission information of the job objects. However, **Re. Claim 2**, Rapozo discloses a system wherein said resource manager, job monitor, and scheduler exchange rights to use the job objects among the worker groups (Article);

Re. Claim 28, IBM discloses a method comprising setting as one of the job-object conditions rights to use the job objects among the worker groups processing the job objects (IBM Disclosure Document);

Re. Claims 23 & 26, Farghar, Matsuzaki and IBM disclose a system and a method wherein as the job object conditions a job definition form identifies for each worker group, information indicating the rights to use the job objects, and at least one of a job period, worker group members, processes, the job objects allocated to the job carried out by the worker group, and permission information of the job objects (Supra); and

Re. Claim 25, Farghar, Matsuzaki and IBM disclose a computer readable medium, the program comprising a function of storing a job definition form defining for each group the jobs, the form indicating rights to use the resources, wherein the job definition form identifies for each job carried out by each group, as information indicating the rights to use the resources, at least one of a job period, group member, the resources allocated to the job to be carried out by the group, and permission information of the resources (Supra).

It would have been obvious obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosures of Fargher, Matsuzaki and IBM with those of Rapozo to avoid conflict among the groups and also to maximize the organization's production.

8. Claims 7-9 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher, in view of Matsuzaki and IBM, and further in view of Persham (US

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Patent 5,260,986), Hwang (US Patent 5,530,892), Gaskill (US Patent 5,440,559), Morishima, (US Patent 5,589,956) and D'Agosto (US Patent 4,975,896).

said audio I/O unit is a microphone.

Re. Claims 7-9 & 19, neither Fargher, Matsuzaki or IBM explicitly disclose a:

- **Re. Claim 7**, a system wherein a request unit uses one of a telephone and a pager to request the second worker group for permission to use the job object;
- **Re. Claim 8**, a system wherein a request unit uses one of a telephone, a notebook computer, an electronic notepad, and a workstation through one of a wide-area network, a personal computer communication network and a wireless network to request the second worker group for permission to use the job object;
- **Re. Claim 9**, a system further comprising a visual I/O unit and an audio I/O unit to request the second worker group for permission to use the job object;
- **Re. Claim 19**, a system wherein:
 - o a visual I/O unit is a television camera; and
 - o a audio I/O unit is a microphone.

However, Persham discloses a system wherein a request unit uses one of a telephone and a pager to request the second worker group for permission to use the job object (Abstract).

Hwang discloses a system wherein a request unit uses one of a telephone, a notebook computer, an electronic notepad, and a workstation through one of a wide-area network, a personal computer communication network (Abstract).

Gaskill discloses a wireless network to request the second worker group for permission to use the job object (Abstract).

D'Agosto discloses a system further comprising a visual I/O unit and an audio I/O unit to request the second worker group for permission to use the job object (Abstract).

Morishima discloses a system wherein a visual I/O unit is a television camera (Col. 6, lines 44-45).

D'Agosto discloses a system wherein an audio I/O unit is a microphone (Col. 11, line 54).

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It would have been obvious to an ordinary practitioner of the art at the time of the invention to combine the disclosures of Fargher, Matsuzaki and IBM with the disclosures of Persham, Hwang, Gaskill, D'Agosto and Morishima to achieve the most time efficient and rapid communications among workers in various work groups.

9. Claims 10, 20, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher, in view of Matsuzaki and IBM, and further in view of Waldren (US Patent 4,884,219), Zinsmeyer (US Patent 3,927,800) and Morishima (US Patent 5,589,956).

Re. Claims 10 and 20, neither Fargher, Matsuzaki nor IBM explicitly disclose a system comprising:

- an input device, attached to a selected member of the second worker group, for identifying and locating the member; and
- a system according to claim 10, wherein
 - o an input unit is one of a sensor and a transmitter; and
 - o a positing unit is a television camera.

However, Waldren discloses a system wherein said input device is a virtual-reality device attached to the selected member, to identify the location of the member (Abstract).

Zinsmeyer discloses a system where said input unit is one of a sensor and a transmitter. Morishima discloses a positioning unit generating an image of the selected member, said input unit and positioning unit being used to directly request the member of the second worker group for permission to use the job object, and a system where a positing unit is a television camera. It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosures of Fargher, Matsuzaki and IBM with those of Waldren, Zinsmeyer and Morishima for efficiency and security purposes.

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Re. Claim 17, neither Fargher, Matsuzaki or IBM explicitly disclose a system wherein an input device is a head-mount display worn by the selected member so that the member may give permission to use the job object.

However, Morishima discloses a system wherein an input device is a head-mount display worn by the selected member so that the member may give permission to use the job object (Col. 16, line 64 - Col. 17, line 41).

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosure of Fargher, Matsuzaki and IBM with that of Morishima in order to equip work group members with head-mount image display technology to provide an efficient communications response capability to work group members of the organization for the purposes of efficient communication and increased security.

Re. Claim 18, neither Fargher nor Matsuzaki explicitly disclose a system wherein said input device is provided with at least one of a password and an ID, to prevent illegal access to said input device.

However IBM discloses a system wherein said input device is provided with at least one of a password and an ID, to prevent illegal access to said input device (Text, page 1, lines 1-21).

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosures of Fargher and Matsuzaki with those of IBM for the simple reason of preventing illegal access to the device.

10. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fargher, in view of Matsuzaki, IBM, Waldren, Zinsmeyer and Morishima, and further in view of Weber (US Patent 4,995,071).

Re. Claim 16, neither Fargher, Matsuzaki, IBM, Waldren, Zinsmeyer or Morishima explicitly disclose a system wherein said input device is a virtual-reality device attached to the selected member, to identify the location of the member.

However, Weber discloses a system wherein an input device is a positioning unit generating an image of the selected member, the input unit and positioning unit being

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used to directly request the member of the second worker group for permission to use the job object (Abstract).

It would have been obvious to an ordinary practitioner of the art at the time of applicant's invention to combine the disclosures of Fargher, Matsuzaki and IBM with those of Weber for efficiency and security purposes.

Response to Arguments

11. Applicant's arguments filed July 27, 2004 referencing Applicant's after final response of May 27, 2004 have been fully considered but they are not persuasive.

Note regarding Claim Numbering: The relevant claim numbers have been changed to claims 1-28 from 1-18 and 25-34.

A. ARGUMENT: Comments by the Inventor re. the rejection of independent claims 1, 27, 30, 33 and 34, now claim numbers 1, 21, 24, 27 and 28 (page 9, ll. 13-26).

REPLY: The inventor's comments are moot since they are directed at the invention in general, not at specific claim elements. What would be required is an oath/declaration executed in accordance with either 37 CFR 1.66 or 1.68.

B. ARGUMENTS: Re. the Rejections under 35 USC 112, first paragraph (page 9, l. 27 – 13, l. 6).

(1) The following 112-1 rejections are removed in view of Applicant's amendment of these claims in a manner which removes the cause of the rejection:

Re. Claim 1, Applicant has removed the phrase "a group of workers as a job" by amendment of the claims.

Re. Claim 6, Applicant has replaced the phrase "request unit" with the phrase "requesting unit", which is a generic term acceptable in the context of the disclosure. Applicant has retained the phrase "group permission information". The Examiner agreed in the Reply to Arguments section of the last Office Action to accept this phrase as within the disclosure in the context of the job definition form (page 16, item (4)(a)). Since this claim includes the context of the job definition form the Examiner

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concludes that this context keeps the phrase "group permission information" within the disclosure.

Re. Claim 21 (formerly claim 27), Applicant has removed the phrases "a group of workers as a job" by amendment of the claims. The Examiner withdraws 112-1 rejection of claim 21.

(2) The following 112-1 rejection remains because Applicant has not remedied the cause of the rejection and Applicant's arguments against the rejection has been considered but is not persuasive:

Re. Claim 4, Applicant has retained the phrase "emergency worker group" which is not contained in the original disclosure. The specification contains the phrases "emergency group" and "groups of workers".

Applicant argues that "the Examiner imposes his own system requirements, which is not appropriate, not supported by law, and not supported by the MPEP" (p. 11, ll. 25-27). Applicant provides further arguments from p. 11, l. 27 through p. 12, l. 22.

REPLY: The Examiner respectfully disagrees. As stated in the reply to arguments of the last Office Action, the specification consistently uses the expression "emergency group". Applicant's new argument has not changed this fact.

35 USC 112 SECOND PARAGRAPH REJECTION

(1) The following 112-2 rejection is removed in view of Applicant's amendment of these claims in a manner which removes the cause of the rejection:

Re. Claim 1, Applicant has amended the claim in the prolog and in the fourth claim element in a manner which removes the indefiniteness.

(2) The following 112-1 rejections remain because Applicant has not remedied the cause of the rejection and Applicant's arguments against the rejection has been considered but is not persuasive:

Re. Claims 23 & 26 (formerly claims 29 & 32), the amended wording "wherein as the job object conditions, each job definition form identifies for each worker group" still

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maintains indefiniteness. The Examiner again suggests the following wording:

"wherein the job object conditions definition form identifies information relating to a job assigned to a worker group, indicating the rights to use the job objects, and at least one of".

35 USC 103 REJECTIONS

ARGUMENT 103-1.

'The Examiner's primary rationale rejecting the independent claims 1, 27, 30, 33 and 34 is that the specification does not provide support for the claims 1, 27 and 30 recitation, "each job definition form representing a group of workers as a job" See, page 15, item 2(b), and page 18, items (b), (c), of the Office Action'. (page 14, ll. 3-5, with rationale from p. 14, l. 4 – p. 17, l. 20).

REPLY: It is clear according to the specifications that the invention concerns itself with an automated system for managing jobs which management is committed to be perform. When a worker group has only one job, substituting the worker group's name for the job is a well known practice, and is a practical and well established practice, but the management objective never shifts away from managing jobs in Applicant's invention nor in the prior art. As with the prior art, Applicant's invention always focuses on accomplishing job completion. It is clear that the invention manages jobs. Applicant's attempt to convert the above informality by stating "the present invention essentially processes a group of workers" (emphasis added by the Examiner) (p. 17, l. 16-17) is invalid logic. The fact that a worker group at times only has one job on one or more of its job definition form(s) does not in actual fact convert Applicant's system to managing worker groups instead of jobs. In Applicant's invention, if the job suddenly needed to be canceled the worker group would be taken off the job, whether or not there was another job for the worker group to do. As such, the prior art is valid within the obviousness standard of the 35 US 103(a), as stated in the above rejections (supra).

ARGUMENT 103-2.

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Applicant argues against certain paragraphs in the Examiner's reply to Applicant's arguments in the last Office Action. "The Examiner essentially asserts in page 18, items 1(a), (b), and (c) of the Office Action, which is also used reject the claims under 35 USC 103(a), that Matsuzaki uses forms for the purpose of managing projects in column 19, lines 67, to column 20, line 9). However, Matsuzaki simply does not disclose or suggest the present invention's, "form generator generating job definition forms that define worker groups to process the objects of the object-oriented system as the job objects according to job-object conditions, " as shown in FIGS. 9 and 36 of the present application" (p. 17, ll. 21-27). Supporting arguments follow from p. 17, l. 28 through p. 18, l. 19.

RESPONSE: Applicant acknowledges that Matsuzaki discloses the use of forms. The use of forms is well known, their use is ubiquitous throughout the world, and obvious. Applicant's argument again revolves around one basic argument, which is that worker groups are the basic unit being managed instead of jobs. As stated above, Applicant's disclosure does not support this argument. In turn, the Examiner must respectfully repeat the statement that Applicant's argument that Fargher and Matsuzaki do not disclose the invention within the 35 USC 103(a) obviousness standard is simply incorrect.

ARGUMENT 103-2.

Applicant argues that "Regarding the Examiner's rationale on page 19, item 1(c), of the Office Action, the Examiner asserts that in the present invention worker groups are assigned to a job as a resource. However, as discussed above, this is contrary to what is disclosed in FIGS. 9 and 36, and in page 2, lines 30-32, of the specification. In fact, the Examiner's characterization in page 16 of the Office Action, that "it is logically incorrect to consider a worker group as being definitely synonymous with a job," highlights the patentably distinguishing feature of the present invention, because, the Examiner cannot locate the "job definition form" of the invention in any prior art (p. 18, ll. 20-27, plus supporting arguments from p. 18, l. 27 through p. 19, l. 4).

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REPLY: The Examiner's discussion above points out that the specification presents the primary focus on managing jobs (*supra*), which makes the worker groups a resource being used to complete jobs. Further, an example that the Examiner's prior art does present "job definition forms" is the IBM art, e.g. claim 6 (*supra*). The additional argument based on the language of independent claims 27 and 28 (formerly claims 33 and 34) does not change the resource status of the worker groups. A good case in point is Applicant's excerpt from claim 33, "a job object manager to store one or more groups of workers, to assign a specified job object to the groups of workers, to store permission information for the specified job object, and to determine whether the specified job object is available to a first worker group based on the assignment information; ..." (emphasis added)' (p. 19, ll. 1-4). This language is consistent with the Examiner's understanding of Applicant's invention. The job object manager does have to store information, including the identity of groups of workers in order to be able to conduct its automated scheduling and managing of jobs. This stored information inherently must store all of the other variables in the system, including job objects, job parameters, permission information for specified job objects, and so on. The system must also have programmed logic to perform its tasks. This example all the more supports the prior art references used in the above rejections (*supra*).

Conclusion

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is 703-305-6199. The Examiner can normally be reached Monday through Friday, 9am to 6pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Sough, can be reached on 703- 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington D.C. 20231

or faxed to:

Art Unit: 3628


(703) 872-9306 [Official communications; including After Final communications
labeled "Box AF"]

(703) 746-9601 [Informal/Draft communications, labeled "PROPOSED" or
"DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2411 Crystal Drive,
Arlington, VA, 7th floor receptionist.

SEC

August 20, 2004


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